ORDINANCE NO. 020829-38

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY GENERALLY KNOWN AS GRAND OAKS PUD, LOCATED AT THE NORTHWEST CORNER OF MANCHACA ROAD AND DAVIS LANE, FROM RURAL RESIDENCE-CONDITIONAL **OVERLAY** (RR-CO) **COMBINING** SINGLE RESIDENCE **STANDARD** DISTRICT AND **FAMILY** CONDITIONAL OVERLAY (SF-2-CO) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from rural residential-conditional overlay (RR-CO) combining district and single family residence standard lot-conditional overlay (SF-2-CO) combining district to planned unit development ("PUD") district on the property (the "Property") described in File C814-01-0113 as approximately 96.412 acres of land being more particularly described by metes and bounds in Exhibit A incorporated into this ordinance, generally known as the Grand Oaks planned unit development, locally known as the property located at the northwest corner of Manchaca Road and Davis Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. This ordinance, together with the attached Exhibits A and B, shall constitute the land use plan for the Grand Oaks planned unit development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the Grand Oaks planned unit development land use plan (the "PUD land use plan") attached as Exhibits A and B, and on record at the Neighborhood Planning and Zoning Department in File No. C814-01-0113. If this ordinance and the attached exhibits conflict, the more restrictive provisions control. Except as otherwise specifically proved by this ordinance, all other rules, regulations and ordinances of the City in effect on the effective date of this ordinance apply to the Grand Oaks PUD.

PART 3. The attached exhibits or copies of originals on file with the City of Austin Neighborhood Planning and Zoning Department in File No. C814-01-0113 are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The attached exhibits are as follows:

Exhibit A: Description of Property and zoning map.

Exhibit B: Grand Oaks PUD land use plan.

Impact Analysis ("TIA") prepared by Alliance Texas Engineering Company, dated April 3, 2002, or as amended and approved by the Director of the Watershed Protection and Development Review Department. All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department dated April 24, 2002. The TIA shall be kept on file at the Watershed Protection and Development Review Department.

- **PART 6.** A subdivision of the Property that includes land within 400 feet of a pipeline may not be approved until the Fire Chief approves a performance-based design that minimizes impacts related to a pipeline for that portion of the land where the design is determined by the Fire Chief to be necessary.
- **PART 7.** Nothing in this ordinance shall be construed to limit or prohibit the exercise by the City of its police powers or authority under the City Code and other applicable law, or to limit or prohibit the right of an applicant to seek an amendment to any provision of this ordinance or the PUD land use plan or any variance or waiver from any City ordinance, regulation of policy applicable to the PUD.
- **PART 8.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 9. This ordinance takes effect on September 9, 2002.

PASSED AND APPROVED

August 29 , 2002

Gustavo L. Garcia

Mayor

APPROVED;

ra Idffarson

City Attorney

Shirley A. Brown

City Clerk



K.C. ENGINEERING, INC. CONSULTING ENGINEERS AND SURVEYORS

1801 S. MOPAC SUITE 150 AUSTIN, TEXAS 78746

PHONE: (512) 306-8585 FAX : (512) 330-0737

EMAIL :info@kcengineering.com

EXHIBIT"A"

Page 1 of 3

METES AND BOUNDS DESCRIPTION

BEING 59.542 ACRES, AND BEING COMPRISED OF THREE (3) TRACTS OF LAND: TRACT NO. 1 BEING 58.394 ACRES OUT OF THE THEODORE BISSEL LEAGUE NO. 18, ABSTRACT NO. 3 OF RECORD IN VOLUME 12629, PAGE 490 AND DESCRIBED IN VOLUME 6956, PAGE 788, BOTH OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT A PORTION OF TRACT. NO. 3, AND SAVE AND EXCEPT SWEET CLOVER DRIVE AS DEDICATED TO THE PUBLIC IN VOLUME 102, PAGE 237 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; TRACT NO. 2 BEING 1.321 ACRES OUT OF THE THEODORE BISSEL LEAGUE NO. 18, ABSTRACT NO. 3 OF RECORD IN VOLUME 12629, PAGE 490 AND DESCRIBED IN VOLUME 6956, PAGE 788, BOTH OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS SAVE AND EXCEPT A PORTION OF TRACT NO. 3; AND TRACT NO. 3 BEING LOT 1, BLOCK D, GRAND OAKS, SECTION ONE, A SUBDIVISION OF RECORD IN VOLUME 102, PAGE 237 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED BY K.C. ENGINEERING, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pipe found for the northeast corner of said 58.394 acres and the southeast corner of Lot 5, Shiloh, Phase III, Section 2, a subdivision of record in Volume 78, Page 120 of the Plat Records of Travis County, Texas, same being 64.99 feet right of and at right angles to Survey Line Station 183+42.07, in the west right-of-way line of F.M. 2304 (Manchaca Road) (right-of-way varies);

THENCE, along the westerly right-of-way line of F.M. 2304 the following three (3) courses:

- South 27°40'42" West a distance of 358.92 feet (record South 29°23'00" West, 359.10 feet) to a 1/2" rebar with plastic cap set 65.00 feet right of and at right angles to Survey Line Station 187+00.99;
- 2. South 19°08'21" West a distance of 101.02 feet (record South 20°36'00" West, 100.92 feet) to a 1/2" rebar with plastic cap set 50.00 feet right of and at right angles to Survey Line Station 188+00.89;
- 3. South 27°41'48" West a distance of 641.19 feet (record South 29°14'00" West, 642.19 feet) to a 1/2" rebar with plastic cap set for the southeast corner of the 58.394 acres and the northeast corner of a tract of land conveyed to Jeanette Dawson Carroll Farley by deed of record in Volume 10542, Page 638 of the Deed Records of Travis County, Texas, and described as 39.42 acres in deed of record in Volume 7709, Page 761 of the Deed Records of Travis County, Texas, and being 50.20 feet right of and at right angles to Survey Line Station 194+42.09, from which a type II concrete monument found 50.00 feet right of and at right angles to Survey Line Station 201+32.86, bears South 27°39'18" West a distance of 690.32 feet;

THENCE North 62°17'52" West, with the south line of the 58.394 acres and the north line of said 39.42 acre tract a distance of 1465.75 feet (record - North 60°46'00" West) to a 1/2" rebar found for the most easterly corner of said 1.321 acres;

THENCE North 64°29'15" West, with the south line of the 1.321 acres, a distance of 105.00 feet (record - North 62°10'00" West, 105.00 feet) to a 1/2" rebar with plastic cap set;

THENCE North 73°23'01" West, with the south line of the 1.321 acres and the south line of said Lot 1, Block D, a distance of 759.06 feet (record - North 71°04'00" West, 759.37 feet) to a

1/2" rebar found for the southwest corner of Lot 1, Block D and the southwest corner of the 1.321 acres, in the east line of Lot 28, Block O, Shiloh, Phase IV, Section Two a subdivision of record in Volume 80, Page 306 of the Plat Records of Travis County, Texas, from which a 1/2" rebar found for the southwest corner of the 39.42 acre tract bears South 27°42'49" West a distance of 599.43 feet;

THENCE with the west line of the 1.321 acres and the west line of Lot 1, Block D, and the east line of Block O, Shiloh, Phase IV, Section Two the following three (3) courses:

- 1. North 27°34'57" East a distance of 19.25 feet (record North 29°57'11" East, 19.30 feet) to a 1/2" rebar found;
- North 27°36'18" East a distance of 130.77 feet (record North 29°57'06" East, 130.70 feet) to an iron pipe found for the southwest corner of the 58.394 acres and the northwest corner of the 1.321 acres;
- 3. North 27°58'39" East a distance of 10.82 feet (record North 30°11'37" East, 10.85 feet) to a 1/2" rebar found for the northeast corner of Lot 21, Block D in the south right-of-way line of Sweet Clover Drive (60' R.O.W.);

THENCE crossing through said 58.394 acre tract with the right-of-way of Sweet Clover Drive the following five (5) courses:

- 1. South 62°16'14" East a distance of 13.27 feet (record South 59°56'02" East, 13.27 feet) to a 1/2" rebar with plastic cap set for a point of curvature;
- 2. Along a curve to the left having a radius of 330.00 feet (record 330.00'), a delta angle of 10°55'28" (record 10°54'47"), a length of 62.92 feet (record 62.85'), and a chord which bears South 67°43'14" East a distance of 62.83 feet (record South 65°23'25" East, 62.76') to a 1/2" rebar with plastic cap set;
- 3. North 22°50'21" East a distance of 60.40 feet (record North 25°09'25" East, 60.40 feet) to a 1/2" rebar with plastic cap set;
- 4. Along a curve to the right having a radius of 270.00 feet (record 270.00'), a delta angle of 12°16'20" (record 12°15'54"), a length of 57.83 feet (record 57.72'), and a chord which bears North 68°23'03" West a distance of 57.72 feet (record North 66°03'39" West, 57.63') to a 1/2" rebar with plastic cap set for a point of tangency;
- 5. North 62°16'14" West a distance of 13.27 feet (record North 59°56'02" West, 13.27 feet) to a 1/2" rebar with plastic cap set for the southeast corner of Lot 8, Block H, Shiloh, Phase IV, Section Two, in the west line of the 58.394 acres;

THENCE North 27°43'46" East, with the west line of the 58.394 acres and the east line of Block H, Shiloh, Phase IV, Section Two a distance of 395.32 feet (record - North 30°03'58" East) to a 1/2" rebar with plastic cap set for the northeast corner of Lot 2 and the southeast corner of Lot 1, Block H, Shiloh Subdivision, Phase Two, Section One, Amended, a subdivision of record in Volume 76, Page 117, of the Plat Records of Travis County, Texas, from which a 1/2" rebar found for the northwest corner of Lot 2 bears North 62°20'53" West a distance of 120.10 feet (record - North 59°57'00" West, 120.07 feet);

THENCE with the west and north lines of the 58.394 acres and the east and south lines of Shiloh Subdivision, Phase Two, Section One, Amended the following seven (7) courses:

 North 27°42'10" East a distance of 69.70 feet (record - North 29°57'22" East, 69.70 feet) to a 1/2" rebar found for the northeast corner of Lot 1, Block H, in the south right-of-way line of Monitor Drive (50' R.O.W.);

- 2. North 27°49'28" East a distance of 50.00 feet (record North 30°05'12" East, 50.00 feet) to a 1/2" rebar found for the southeast corner of Lot 63, Block E, in the north right-of-way line of Monitor Drive;
- 3. North 27°53'07" East a distance of 272.16 feet (record North 30°11'07" East, 272.23 feet) to a 1/2" rebar found for the northeast corner of Lot 60, and the southeast corner of a 60' Exxon Pipeline R.O.W, per plat in Volume 76, Page 117;
- 4. North 27°17'04" East a distance of 102.32 feet (record North 29°40'05" East, 102.24 feet) to a 1/2" rebar found for the northeast corner of Lot 59 and the southeast corner of Lot 58;
- 5. North 27°46'53" East a distance of 139.99 feet (record North 30°03'28" East, 139.95 feet) to a iron pipe found for the northeast corner of Lot 57, in the south line of Lot 56, same being the northwest corner of the 58.394 acre tract, from which a 1/2" rebar found for the northwest corner of Lot 57 and the southwest corner of Lot 56 bears North 36°22'57" West a distance of 94.53 feet (record North 34°05'00" West, 94.32 feet);
- 6. South 62°15'43" East a distance of 222.76 feet (record South 59°55'29" East, 222.78 feet) to a 1/2" rebar found for the southeast corner of Lot 56 and the southwest corner of Lot 8;
- 7. South 62°14'23" East a distance of 557.76 feet (record South 59°54'53" East, 557.81 feet) to a 1/2" rebar found for the southeast corner of Lot 1 and the southwest corner of Lot 12, Shiloh Subdivision, Phase I, Section 1, a subdivision of record in Volume 72, Page 10 of the Plat Records of Travis County, Texas;

THENCE with the north line of the 58.394 acres and the south line of Shiloh Subdivision, Phase I, Section 1 the following two (2) courses:

- South 62°19'01" East a distance of 829.30 feet (record South 60°00'25" East, 829.28 feet) to a 1/2" rebar found for the southeast corner of Lot 1, in the west right-of-way line of Manassas Drive (60' R.O.W.), from which a 1/2" rebar found for the northeast corner of Lot 1 bears North 28°03'22" East a distance of 115.36 feet (record North 30°05'00" East, 115.01 feet);
- 2. South 62°16'46" East a distance of 190.39 feet (record South 59°53'01" East) to a 1/2" rebar found for the southeast corner of Lot 91, and the southwest corner of said Lot 1, Shiloh, Phase III, Section 2;

THENCE South 62°18'49" East, with the north line of the 58.394 acres and the south line of Shiloh, Phase III, Section 2 a distance of 499.69 feet (record - South 59°59'56" East, 499.84 feet) to the POINT OF BEGINNING;

This parcel contains 59.542 acres of land, more or less, out of the Theodore Bissel League No. 18. Abstract No. 3 in Travis County, Texas.

Description prepared from an on-the-ground survey made during September 1999.

Bearing Basis: West right-of-way line of Manchaca Road (F.M. 2304).

David R. Hartman

Date

Registered Professional Land Surveyor

State of Texas No. 5264

Job Number: 438-99017

Attachments: Survey Drawing L:\CHTEX\GRANDOAK\DRAWINGS\BNDY.DWG

File:L:\CHTEX\GRANDOAK\F_NOTES\43801701.FN



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EMAIL :info@kcengineering.com

EXHIBIT A

Page 1 of 2

METES AND BOUNDS DESCRIPTION

BEING 36.870 ACRES OF LAND OUT OF THE THEODORE BISSEL LEAGUE NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS AND ALSO BEING A PORTION OF A 39.42 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO DIANA D. ZUMWALT, MARTHA D. ECHOLS, NANCY D. DITTMAR, AND JEANETTE D. CARROLL OF RECORD IN VOLUME 7709, PAGES 761 THROUGH 763 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 36.870 ACRES DESCRIBED AS 36.874 ACRES IN FIELD NOTE DESCRIPTION DATED DECEMBER 9, 1993 BY DOUGLAS A. SEELIG, REGISTERED PROFESSIONAL SURVEYOR NO. 1908; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with plastic cap set in the west right-of-way line of F.M. 2304 (Manchaca Road) (right-of-way varies) and the east line of the said 39.42 acres for the northeast corner of Lot 1, Don Stewart Subdivision No. 1, a subdivision of record in Volume 96, Page 239 of the Plat Records of Travis County, Texas, from which a type II highway right-of-way monument found 50.00 feet right of and at right angles to Survey line Station 201+32.86 of F.M. 2304 bears South 27°39'40' West a distance of 203.00 feet (record - South 29°58'40" West, 203.00 feet);

THENCE North 62°19'08" West crossing through the 39.42 acres with the north line of said Lot 1 a distance of 218.01 feet (record – North 60°00'08" West, 218.01 feet) to a 1/2" rebar found for the northwest corner of Lot 1;

THENCE South 27°39'16" West crossing through the 39.42 acres with the west line of Lot 1 a distance of 253.37 feet (record - South 29°58'16" West, 253.37 feet) to a 1/2" rebar with plastic cap set in the north right-of-way line of Davis Lane (right-of-way varies) and the south line of the 39.42 acres for the southwest corner of a 0.015 of one acre of street right-of-way dedicated by said plat of Don Stewart Subdivision No. 1;

THENCE with the north right-of-way line of Davis Lane and the south line of the 39.42 acres the following six (6) courses:

- North 62°12'23" West a distance of 583.88 feet (record North 59°53'07" West, 583.72 feet) to a 1/2" rebar found;
- North 62°57'58" West a distance of 436.79 feet (record North 60°39'35" West, 436.79 feet) to a 1/2" rebar found;
- 3. North 61°17'43" West a distance of 492.00 feet (record North 58°57'32" West, 492.04 feet) to a 1/2" rebar with plastic cap set;
- 4. North 64°12'05" West a distance of 308.23 feet (record North 61°51'54" West, 308.26 feet) to a 1/2" rebar with plastic cap set;
- 5. North 63°15'45" West a distance of 210.54 feet (record North 60°55'34" West, 210.56 feet) to a 1/2" rebar with plastic cap set;
- 6. North 61°29'11" West a distance of 67.11 feet (record North 59°09' West, 67.12 feet) to a 1/2" rebar found for the southwest corner of the 39.42 acres and the southeast corner of street right-of-way dedicated by plat of Shiloh Phase IV Section Two, a subdivision of record in Volume 80, Page 306 of the Plat Records of Travis County, Texas;

i

THENCE North 27°42'49" East with the west line of the 39.42 acres and the east line of Block O of said Shiloh Phase IV Section Two (record – North 30°04' East) a distance of 599.43 feet to a 1/2" rebar found for the southwest corner of a 1.321 acre tract conveyed to Intra Properties, L.L.C. of record in Volume 12629, Page 490 of the Real Property Records of Travis County, Texas and described in deed of record in Volume 6956, Page 788 of the Deed Records of Travis County, Texas also being the southwest corner of Lot 1, Block D, Grand Oaks Section 1, a subdivision of record in Volume 102, Page 237 of the Plat Records of Travis County, Texas, from which a 1/2" rebar found for the southeast corner of Lot 21, Block O of Shiloh Phase IV Section Two bears North 27°34'57" East a distance of 19.25 feet (record – North 29°57'11" East, 19.30 feet);

THENCE crossing through the 39.42 acres with the south line of the said 1.321 acres the following two (2) courses:

- 1. South 73°23'01" East a distance of 759.06 feet (record South 71°03'57" East, 759.06 feet) to a 1/2" rebar found;
- 2. South 64°29'15" East a distance of 105.00 feet (record South 61°10' East, 105.00 feet) to a 1/2" rebar found in the north line of the 39.42 acres and south line of a 58.394 acre tract conveyed to Intra Properties, L.L.C. of record in Volume 12629, Page 490 of the Real Property Records of Travis County, Texas and described in deed of record in Volume 6956, Page 788 of the Deed Records of Travis County, Texas for the easternmost point of the 1.321 acres;

THENCE South 62°17'52" East with the north line of the 38.42 acres and the south line of the said 58.394 acres a distance of 1465.75 feet (record – South 59°58'37" East, 1465.78 feet) to a 1/2" rebar set 50.20 feet right of and at right angles to Survey Line Station 194+42.09 of F.M. 2304 in the west right-of-way line of F.M. 2304 for the northeast corner of the 39.42 acres and the southeast corner of the 58.394 acres from which a 1/2" rebar set 50.00 feet right of and at right angles to Survey line Station 188+00.89 of F.M. 2304 bears North 27°41'48" East a distance of 641.19 feet;

THENCE South 27°39'40" West with the west right-of-way line of F.M. 2304 and the east line of the 39.42 acres a distance of 487.56 feet (record - South 29°39'40" West, 487.64 feet) to the POINT OF BEGINNING;

This parcel contains 36.870 acres of land, more or less, out of the Theodore Bissel League No. 18, Abstract No. 3 in Travis County, Texas.

Description prepared from an on-the-ground survey made during September 1999 and October 1999.

Bearing Basis: West right-of-way line of Manchaca Road (F.M. 2304) from TxDOT right-of-way

mapping.

David R. Hartman

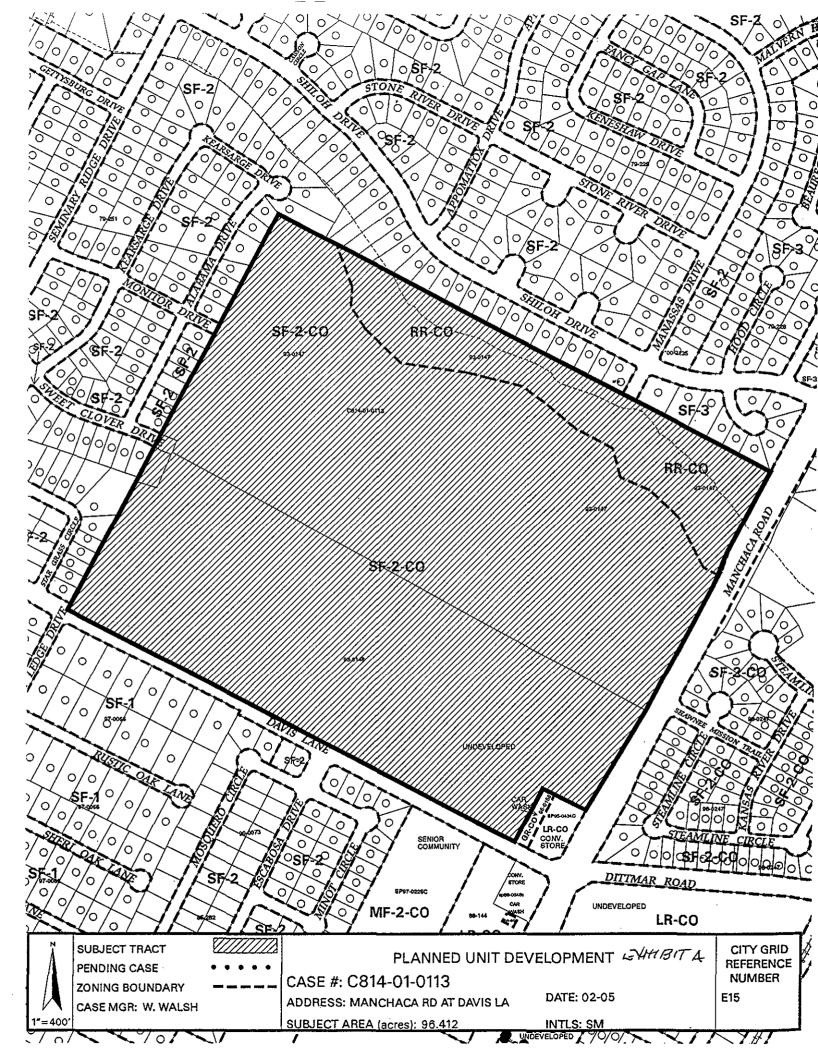
Registered Professional Land Surveyor

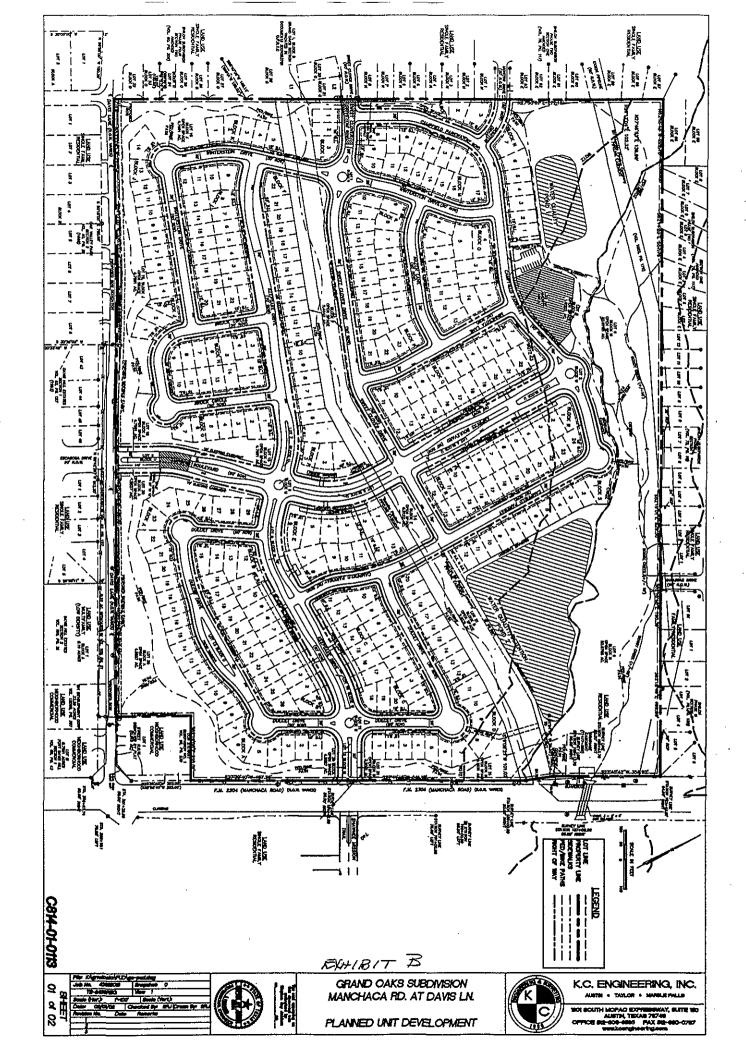
State of Texas No. 5264

Job Number: 438-99018

Attachments: Survey Drawing L:\CHTEX\GRANDOAK\DRAWINGS\43801801.DWG

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